

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

BRENDA A. BOSLEY, et al.,

Plaintiffs,

v.

**CIVIL ACTION NO.: 3:07-CV-142
(JUDGE BAILEY)**

**COLONEL D.L. LEMMON,
SUPERINTENDENT OF THE WEST
VIRGINIA STATE POLICE, IN HIS
OFFICIAL CAPACITY, et al.,**

Defendants.

**ORDER DENYING MOTION TO STAY ENFORCEMENT AND EFFECT OF ORDER
DENYING MOTION TO DISMISS AND GRANTING MOTION TO REMAND**

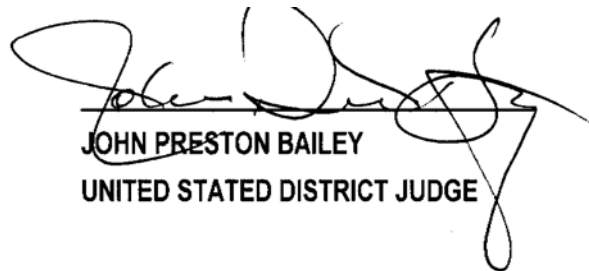
This matter is now before the Court for consideration of Defendants' Motion to Stay Enforcement and Effect of Order Denying Motion to Dismiss and Granting Motion to Remand [Doc. No. 24], filed on January 2, 2008. In support of the Motion, the defendants state that they will be filing a petition for a writ of mandamus within thirty days and ask that this Court's Order [Doc. No. 21] be stayed until the Fourth Circuit issues any possible ruling on the defendants' petition so as to avoid possible multiple filings.

After careful review, the Court does not find good cause to grant the Motion. Accordingly, the **Motion to Stay Enforcement and Effect of Order Denying Motion to Dismiss and Granting Motion to Remand [Doc. No. 24]** is **DENIED**.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this Order to counsel of record herein.

DATED: January 4, 2008.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE